

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

JERRY ALLEN CLARK,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Case No. CIV-09-649-M
	)	
ERIC FORSYTHE, et al.,	)	
	)	
Defendants.	)	

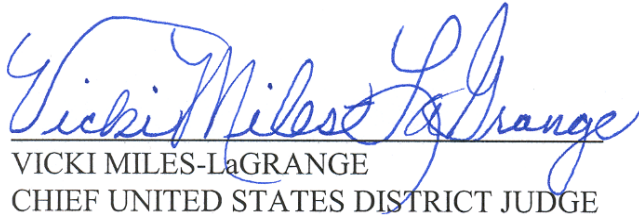
**ORDER**

On June 18, 2009, United States Magistrate Judge Gary M. Purcell issued a Report and Recommendation in this civil rights action brought pursuant to 42 U.S.C. § 1983, alleging the violation of certain constitutional rights. The Magistrate Judge recommended that defendants' motions for summary judgement be granted because: (1) plaintiff had the assistance of court-appointed counsel throughout his federal criminal proceedings and therefore Grady County Detention Center ("GCDC") was not obligated to provide plaintiff with physical access to a law library or legal resources; (2) plaintiff failed to demonstrate actual injury as result of the alleged temporary denial on two occasions of access to his legal paperwork; and (3) the negligence of GCDC officials only temporarily deprived plaintiff of his personal property. The Magistrate Judge also recommended defendants' motions for summary judgement be granted as to plaintiff's individual capacity claims against defendants Eric Forsythe and Larry McGill based on there being no evidence of either defendant personally participating in the temporary deprivation of plaintiff's personal property. The parties were advised of their right to object to the Report and Recommendation by March 31, 2010. The plaintiff filed his objection and motion to terminate the case on March 26, 2010.

Upon de novo review, the Court:

- (1) ADOPTS the Report and Recommendation issued by the Magistrate Judge on March 11, 2010;
- (2) GRANTS defendants' motions for summary judgment [docket nos. 48 and 49]; and
- (3) ORDERS that judgment issue forthwith in favor of all defendants and against plaintiff.

**IT IS SO ORDERED this 29th day of April, 2010.**

  
VICKI MILES-LaGRANGE  
CHIEF UNITED STATES DISTRICT JUDGE